

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Civil Action No. 04-10619 RCL

JAMES R. MENARD,	)	
Plaintiff	)	
	)	
vs.	)	DEFENDANTS'
	)	MOTION FOR RECONSIDERATION
C&S WHOLESALE GROCERS,	)	OF COURT'S ORDER
INC., et al.,	)	DATED JULY 14, 2004
Defendants	)	

Defendants, C&S Wholesale Grocers, Inc. ("C&S") and Marilyn Tillinghast, hereby move for reconsideration of the order of this Court (Lindsay, J.) dated July 14, 2004 granting Plaintiff's Motion to Remand this matter to the Norfolk (Massachusetts) Superior Court, and request permission to file a supplemental affidavit and memorandum of law providing additional information to show that C&S does not have its principal place of business in Massachusetts.

In support of this motion, defendants rely on the Supplemental Affidavit of Carl Wistreich, attached hereto as Exhibit A, and the memorandum of law filed herewith.

The Defendants  
C&S WHOLESALE GROCERS, INC.  
and MARILYN TILLINGHAST  
By Their Attorneys

/s/ Mary J. Kennedy

Dated: July 15, 2004

---

Mary J. Kennedy  
BBO No. 552345  
Bulkley, Richardson and Gelinas, LLP  
1500 Main Street, Suite 2700  
Springfield, MA 01115  
Tel: (413) 272-6242  
Fax: (413) 272-6803

Local Rule 7.1 Certification

I certify that, pursuant to Local Rule 7.1, on July 15, 2004, I conferred with counsel for the plaintiff and have attempted in good faith to resolve or narrow the issues in this motion.

/s/ Mary J. Kennedy  
Mary J. Kennedy